

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

20-CV-01931

\$114,063.53 UNITED STATES CURRENCY SEIZED
FROM BANK OF AMERICA ACCOUNT #8936,
Defendant.

ARREST WARRANT IN REM

**TO: U.S. CUSTOMS AND BORDER PROTECTION AND/OR IMMIGRATION
AND CUSTOMS ENFORCEMENT AND/OR ANY OTHER DULY
AUTHORIZED LAW ENFORCEMENT OFFICER:**

WHEREAS, a Verified Complaint of Forfeiture has been filed on _____ in the United States District Court for the Western District of New York, by James P. Kennedy, Jr., United States Attorney, on behalf of the United States of America, plaintiff, alleging that the defendant property is subject to seizure and forfeiture to the United States pursuant to 18 U.S.C. §§981(a)(1)(C) and 984.

YOU ARE, THEREFORE, HEREBY COMMANDED to arrest and seize the defendant property, and use discretion and whatever means appropriate to protect and maintain said defendant property; and

YOU ARE FURTHER COMMANDED to provide notice of this action to all persons thought to have an interest in or claim against the defendant property, and that you promptly, after execution of this process, file the same in this Court with your return thereon.

All persons asserting an interest in the defendant property and who have received direct notice of the forfeiture action must file a verified claim with the Clerk of this Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, **thirty-five (35) days** after the notice is sent; or if notice was published but direct notice was not sent to the claimant or the claimant's attorney, a claim must be filed no later than thirty (30) days after final publication of newspaper notice or legal notice or no later than sixty (60) days after the first day of publication on an official internet government forfeiture site; or within the time that the Court allows, provided any request for an extension of time from the Court is made prior to the expiration of time which the person must file such verified claim. In addition, any person having filed such a claim shall also serve and file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within **twenty-one (21) days** after filing the claim, and any person having timely filed such claim and answer **must appear before this Court, at 2 Niagara Square, Buffalo, New York on _____ or () on a date to be determined by the Court.**

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

Supplemental Rule G(5) provides in pertinent part: "The claim must: (A) identify the

specific property claimed; (B) identify the claimant and state the claimant's interest in the property; (C) be signed by the claimant under penalty of perjury; and (D) be served on the government attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).

All persons asserting an interest in the defendant property are required to file a claim in the Clerk's Office and to answer the complaint within the times above fixed: otherwise, judgment by default will be filed for the relief demanded in the complaint.

Claims and Answers are to be filed with the Clerk, United States District Court for the Western District of New York, Assistant United States Attorney Grace M. Carducci, 100 State Street, Suite 500, Rochester, New York 14614.

This warrant is issued pursuant to **Rule G(3) of the Supplementary Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure.**

WITNESS THE HONORABLE	UNITED STATES DISTRICT JUDGE AT 2 NIAGARA SQUARE BUFFALO, NEW YORK 14202
DATE	CLERK
	(BY) DEPUTY CLERK

Returnable 75 days after issue

U.S. Customs and Border Protection's Return

SERVICE PORT	DATE RECEIVED	DATE EXECUTED
FINES, PENALTIES AND FORFEITURES	(BY)	